



Redistricting Commission

Record of Action | Virtual Meeting (Zoom Webinar)
Thursday, August 19, 2021 | 3:00 p.m.

This meeting aired live on the City's Zoom Webinar platform.

Commissioners Present

Valentine Hoy
Fred Kosmo
Roy MacPhail
Kenneth Malbrough
Alan Nevin
Mitz Lee
Justine Nielsen
Monica Hernandez
Thomas Hebrank

City Staff Present

Jennifer Berry, Deputy City Attorney
Kathy Steinman, Deputy City Attorney
Lora Fleming, Redistricting Commission Chief of Staff

Commissioner Roll Call

- Redistricting Commission Chair Hebrank called the meeting to order at 3:01 p.m. and the roll was called to confirm Commission member attendance.
 - **Present:** Val Hoy, Fred Kosmo, Roy MacPhail, Kenneth Malbrough, Alan Nevin, Mitz Lee, Justine Nielsen, Monica Hernandez, Thomas Hebrank;
 - **Not Present:** (None).

Non-Agenda Public Comment

- Seven written comments were submitted prior to the meeting and were posted on the website and distributed to the Commissioners.
- Three speakers spoke during Non-Agenda Public Comment:

Name:	Organization:	District/ Community:	Comments Summary:
John Stump			Submitted a letter to the Commission regarding the linkage between residential population and the artifacts of community of interest. Sited Old Town having significant artifacts from the Mexican and Kumeyaay Nation, yet not a lot of Mexican or Kumeyaay Nation residents live there. Same is true in Little Italy. Supports the request for a detailed study of the Asian population.
Helen Boyden		District 1	Wants District 1's boundaries to expand to the southern portion of La Jolla with the zip code 92037. Wants the La Jolla Community Planning Group and UCSD to be in the same Council District.
Andy Wiese		District 1	Wants to keep the UC plan area, UCSD and La Jolla in the same Council District for historical and sound planning reasons. UC and UCSD have grown together for the past 60 years. Plan areas are best in the same districts when they can be represented together.

Item 1- Chair's Report

- No comments.

Item 2- Commissioner Comment

- No comments.

Item 3- Chief of Staff Comment

- Lora Fleming continues to be in contact with the City Council's Legislative Director and the Committee Consultant Liaison. She has been told that the Council President's Office continues to monitor the Delta variant and it's not clear as to whether the Council will return to in-person meetings starting in September. If they do, she has requested access to either the Council Chambers or Committee Room on September 16. On that day, there is a Planning Commission meeting at 9 a.m., a Land Use & Housing Committee meeting at noon, and the Environment Committee meeting at 6 p.m. Unfortunately, all Council Committees always have priority over commission meetings. Also, the Council Committee Room (which is on the same floor at

the Council Chambers) will be closed for upgrades for the rest of the year after the month of September. Also, it is not clear if members of the public will be allowed into the City Administration building to take part in City Council and Committee hearings. If that is the case, the Redistricting Commission would also be under that guideline which would put us back to where we are now with members of the public participating virtually. She will continue to stay in contact with the Legislative Director and monitor the situation.

- Last week was exciting with the Census Bureau releasing the legacy data. This data is raw, and not user friendly. Now, the California Statewide Database formats that data into a user-friendly version that local jurisdictions can begin to access. This is expected to take 7-10 days. Please note that what will be released in the coming week or so will not include the Voting Rights Act data and the reallocation of incarcerated persons. The final, fully formatted data (which will include these two items) will not be released by the California Database until September 20.
- Since the release of the legacy data, the City's GIS team has provided Commissioner MacPhail (who has prior mapping experience and expertise) with the GIS layers needed to draft a preliminary 2020 census table and map. Please note that this is very preliminary and not done by the professional demographer/mapping services firm. This preliminary information was shared during the District 9 meeting. The preliminary table and map are available on the website for the public to view.
- The Redistricting Commission has completed 3 of the 9 district meetings. So far, special meetings for Districts 7, 1 and 9 have taken place, with next week's meeting focusing on District 8. For the complete list of district meetings, members of the public can click on the Calendar tab on our website.
- Lora Fleming continues to have monthly meetings with redistricting commission staff for the jurisdictions of Los Angeles, Long Beach, Santa Barbara, and SD County. They will meet again next week and will have a lot to discuss with the release of the raw legacy data.
- Lora Fleming informed the Commission that she brought on an intern. This is Justin's second week, and he is doing great. Justin is a senior at Cal State Fullerton and is majoring in Public Administration, so this work is right up his alley.

Item 4- City Attorney's Office Comment

- The City Attorney's Office explained that the Voting Rights Act data is a tabulation that the Census Bureau puts together that shows the race and ethnicity by voting age citizen population. The Census Bureau formulates this data so the Department of Justice can prosecute certain Voting Rights Act crimes and investigate them. However, this year, it is unclear when and if that data will come out. In the beginning of 2021, the Census Bureau asked if the Department of Justice if they needed this information. The Department of Justice stated that they could use the American Community Survey data if it would help expedite processing the census data considering the delays. It's not a problem for the Redistricting Commission since what will be used is population data rather than voting age citizen data.
- One speaker provided public comment for Item 4:

Name:	Organization:	District/ Community:	Comments Summary:
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John Stump			How does residential population and Voting Rights Act data fit into the communities of interest? Do maps have to be based on actual population or voting registrations, or just where a person happens to own property or sometimes goes to church?
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Item 5- Approve Record of Action for July 15, 2021 Meeting

- **ACTION:** Commissioner MacPhail made a motion to approve the Record of Action for July 15, 2021. The motion was seconded by Vice Chair Malbrough and approved 9-0 by the Commission members by a roll call vote.
 - **Yea:** Val Hoy, Fred Kosmo, Roy MacPhail, Kenneth Malbrough, Alan Nevin, Mitz Lee, Justine Nielsen, Monica Hernandez, Thomas Hebrank;
 - **Nay:** (None);
 - **Recused:** (None);
 - **Not Present:** (None).

Item 6- Approve Record of Action for the Special District Meetings of August 4 and August 11

- **ACTION:** Vice Chair Malbrough made a motion to approve the Records of Action for August 4 and August 11, 2021. The motion was seconded by Commissioner Nevin and approved 9-0 by the Commission members by a roll call vote.
 - **Yea:** Val Hoy, Fred Kosmo, Roy MacPhail, Kenneth Malbrough, Alan Nevin, Mitz Lee, Justine Nielsen, Monica Hernandez, Thomas Hebrank;
 - **Nay:** (None);
 - **Recused:** (None);
 - **Not Present:** (None).

Item 7- Approve Mapping Subcommittee's Recommendation of HaystaqDNA for Demographer/ Mapping Services

ACTION: Commissioner MacPhail made a motion to approve the proposed contract with HaystaqDNA to provide the mapping and demographic services outlined in the RFP. The motion was seconded by Commissioner Nevin and approved 9-0 by the Commission members by a roll call vote.

- **Yea:** Val Hoy, Fred Kosmo, Roy MacPhail, Kenneth Malbrough, Alan Nevin, Mitz Lee, Justine Nielsen, Monica Hernandez, Thomas Hebrank;
- **Nay:** (None);
- **Recused:** (None);
- **Not Present:** (None).

Item 8- Update from Legal Counsel RFP Subcommittee

- Subcommittee Chair Hoy reported that the RFP has been posted and will close the first week of September. The Subcommittee provided Purchasing & Contracting with the contact information for over half a dozen law firms that have experience with redistricting. Those law firms were provided courtesy notices for this RFP. After the RFP has closed, Purchasing & Contracting will review the bids to confirm they are complete. The Subcommittee will then review those responsive bids and score them. The top three bidders will make it to the next round of interviews. After the interview presentations are scored, the law firm will be selected with a 10-day protest period to follow. The successful law firm will be evaluating our final maps and confirming that they conform to the Voting Rights Act criteria.
- One speaker provided public comment for Item 8:

Name:	Organization:	District/ Community:	Comments Summary:
Samantha Jenkins		4	What are the criteria that will go into the selection of the outside law firm? How will the Commission ensure that minority-owned law firms or firms that haven't previously been utilized are considered?

Item 9 - Legal Presentation on the Ralph M. Brown Act and Assembly Bill 992 Regarding Social Media Use by Deputy City Attorneys Jennifer Berry and Kathy Steinman

- Jennifer Berry and Kathy Steinman provided a legal presentation on the Ralph M. Brown Act and Assembly Bill 992 as it relates to social media use by the commissioners.

Item 10- Adjournment

- Chair Hebrank adjourned the meeting at 3:52 p.m. until the next regularly scheduled meeting at 3:00 p.m. on September 16, 2021.